

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:

Stephen Hines and)	CHAPTER 7
Khadija Pendelton Hines)	
Debtors.)	
_____)	CASE NO. 11-63555-wlh
)	
Stephen Hines and)	
Khadija Pendelton Hines)	
Movants.)	CONTESTED MATTER
vs.)	
)	
Brooks Transfer & Storage Co.,)	
Respondent.)	

MOTION TO AVOID JUDICIAL LIEN

COME NOW, Stephen Hines and Khadija Pendelton Hines, through and by Counsel and files the within "Motion to Avoid Judicial Lien," and show the Court as follows:

(1)

Debtors filed this motion pursuant to 11 U.S.C. Section 522(f)(1), and Bankruptcy Rule 4003(d) to avoid a judicial lien.

(2)

This debt is secured by a judicial lien filed in the Prince William County General District Court, *Case Number V09009087*, in the approximate amount of \$7,302.15 on or about July 2, 2009, and said judicial lien impairs exemptions which the Debtors have properly claimed in Schedule C of the petition, pursuant to O.C.G.A. 44-13-100.

(3)

The existence of the Respondent's lien on Debtors' personal and real property impairs exemptions allowed to the Debtors, pursuant to 11 U.S.C. Section 522(f) and (d).

WHEREFORE, Movants pray:

(a) That this "Motion To Avoid Judicial Lien" be scheduled for a hearing and inquiry therein be made;

(b) That the Court declare null and of no effect Respondent's judicial lien on all real and personal property of the Debtors;

(c) That the Debtors be allowed to have possession of and clear title to all real and personal property, and

(d) That the Debtors have such other and further relief as the Court may deem just and proper.

Dated: August 31, 2011

Cha'ron Ballard /s/
Cha'ron Ballard
Attorney for Debtors
GA Bar # 251011
229 Peachtree Street
International Tower, Suite 705
Atlanta, GA 30303
(404) 827-9799
cballard@sandbergglawfirm.com

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**NOTICE OF REQUIREMENT OF RESPONSE OF MOTION TO AVOID
JUDICIAL LIEN ON EXEMPT PROPERTY AND OF TIME TO FILE SAME**

NOTICE IS HEREBY GIVEN that a Motion to Avoid Judicial Lien on exempt property pursuant to 11 U.S.C. Sec. 522 (f)(2) has been filed in the above-styled case on August 31, 2011.

NOTICE IS FURTHER GIVEN THAT, pursuant to Local Rule BLR 6008(2) NDGA, the Respondent must file a response to the Motion within 21 days after service, exclusive of the day of service, and serve a copy of same on Movant. In the event that no response is timely filed and served, then the motion will be deemed unopposed and the Bankruptcy Court may enter an Order granting the relief sought.

Dated: August 31, 2011

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Cha'ron Ballard
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CERTIFICATE OF SERVICE

I declare under penalty of perjury that I am more than eighteen years of age, and that on this day I served a copy of the within "Notice of Requirement of Response to Motion to Avoid Judicial Lien on Exempt Property and of Time to File Same" together with the "Motion to Avoid Judicial Lien" filed in this Bankruptcy Case upon the following by depositing a copy of same in the United States Mail with sufficient postage affixed thereon to ensure delivery to:

Brooks Transfer and **Debtor:**
Storage Co. Stephen Hines
1378 London Bridge Road 329 Shoyre Lake Ln
Virginia Beach VA 23453 McDonough, GA 30253

Joint Debtor:
Khadija Pendelton Hines
329 Shoyre Lake Ln
McDonough, GA 30253

Jeffrey K. Kerr
Chapter 7 Trustee
241 W. Wieuca NE
Suite 130
Atlanta, GA 30342

Registered Agent:
Brooks Transfer &
Storage Co.
c/o Jeffrey D. Brooks
1378 London Bridge Road
Virginia Beach, VA
23453

Dated: August 31, 2011

Cha'ron Ballard /s/
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International Tower, Suite 705
Atlanta, GA 30303
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